

FILE COPY

STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

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IN THE MATTER OF  
DISCIPLINARY PROCEEDINGS AGAINST

MARK M. BENSON, M.D.,

Respondent

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ORDER RENEWING THE STAY

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On July 24, 1996, the Medical Examining Board issued its Final Decision and Order in the above-captioned matter. By the terms of the board's order, respondent's license to practice medicine and surgery in Wisconsin was suspended for a period of not less than five years, with provision for consecutive three-month stays of the suspension conditioned upon compliance with certain conditions and limitations on the license. These include that Dr. Benson continue successful participation in an acceptable drug and alcohol treatment program, and that as a part of the program, he submit to random, monitored screening of his blood or urine for alcohol and drugs on a twice-weekly basis.

By letter dated August 29, 1996, Dr. Benson, by Attorney Paul R. Erickson, requested that the stay of suspension be renewed for three months, and petitioned as well for a reduction in the number of required urine screens from two to one per week. The board considered the matter at its meeting of September 25, 1996, and denied the request by its Order dated October 1, 1996.

By letter dated November 7, 1996, Dr. Benson petitioned for a further three-month stay, and again requested a reduction in the number of required urine screens. The board considered the matter at its meeting of November 20, 1996, and again denied the request by its Order dated January 4, 1997.

By letter dated June 17, 1997, Dr. Benson requested a further three-month stay of suspension. A subsequent letter from Dr. Engel supported a change in the number of required urine screens from two per week to one per week, and Dr. Benson appeared before the board on July 24, 1997, in support of the requests. The board considered the matter on that date and, by its Order dated July 31, 1997, reduced the number of required screens to one per week.

At its meeting of January 22, 1998, the board considered Dr. Benson's request for a further three month stay of the suspension. Based on that request, the board orders as follows:

NOW, THEREFORE, IT IS ORDERED that the stay of the suspension of the license of Mark M. Benson, M.D., be and hereby is, renewed for a period of three months.

Dated this 28<sup>th</sup> day of January, 1998.

STATE OF WISCONSIN MEDICAL  
EXAMINING BOARD

by Wanda Roever  
Wanda Roever  
Board Secretary

STATE OF WISCONSIN  
DEPARTMENT OF REGULATION AND LICENSING  
BEFORE THE MEDICAL EXAMINING BOARD

In the Matter of Disciplinary Proceedings Against

Mark M. Benson, M.D.,

AFFIDAVIT OF MAILING

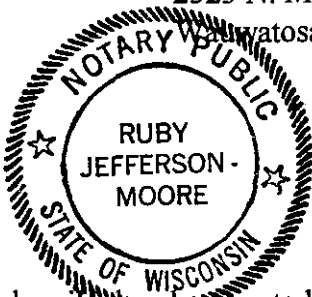
Respondent.

STATE OF WISCONSIN    )  
                                  )  
COUNTY OF DANE        )

I, Kate Rotenberg, having been duly sworn on oath, state the following to be true and correct based on my personal knowledge:

1. I am employed by the Wisconsin Department of Regulation and Licensing.
2. On February 6, 1998, I served the Order Renewing the Stay dated January 28, 1998 upon the Respondent Mark M. Benson, M.D. by enclosing a true and accurate copy of the above-described document in an envelope properly stamped and addressed to the above-named Respondent and placing the envelope in the State of Wisconsin mail system to be mailed by the United States Post Office by certified mail. The certified mail receipt number on the envelope is P 221 158 336.
3. The address used for mailing the Decision is the address that appears in the records of the Department as the Respondent's last-known address and is:

Mark M. Benson, M.D.  
2323 N. Mayfair Road, Suite 507  
Wauwatosa WI 53226



Subscribed and sworn to before me

this 6th day of February 1998.

Ruby Jefferson-Moore  
Notary Public, State of Wisconsin

My commission is permanent.

Kate Rotenberg  
Kate Rotenberg  
Department of Regulation and Licensing  
Office of Legal Counsel